

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff, Plaintiff, v. 1096-1100 RIVER ROAD ASSOCIATES, LLC; FRED A. DAIBES, LLC; and FRED A. DAIBES; Defendants.	Adv. Pro. No. 10-05390 (SMB)

**ORDER GRANTING ORAL MOTION TO COMPEL DISCOVERY PURSUANT TO
RULE 37(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

THIS MATTER having come before the Court on the letter request of Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff, filed on August 6, 2015 [ECF No. 48] (the “Letter Request”) seeking a conference concerning the failure of the defendants (the “Defendants”) in

the above-captioned adversary proceeding (“the Adversary Proceeding”) to serve initial disclosures, serve responses to discovery served by the Trustee, and produce documents requested by the Trustee; and the Court having held a hearing (the “Hearing”) on the Letter Request on August 20, 2015 at 11:00 a.m.; and Defendants’ counsel having stated at the Hearing that Defendants do not oppose the Letter Request; and the Court having treated the Letter Request as an oral motion for entry of an order compelling Defendants to serve initial disclosures, serve discovery responses, and produce documents and having issued a bench ruling (the “Bench Ruling”) at the Hearing; and the Court having granted such motion and having directed the Trustee to submit an order after consultation with Defendants’ counsel,

IT IS HEREBY ORDERED THAT:

In accordance with the Bench Ruling, as incorporated herein, Defendants shall (1) serve initial disclosures in the Adversary Proceeding by **September 4, 2015**; (2) respond to the Trustee’s First Set of Interrogatories, served on March 11, 2015, by **September 18, 2015**; and (3) respond to the Trustee’s First Set of Requests for Admission and First Set of Requests for the Production of Documents, each served on June 29, 2015, by **September 18, 2015**.

Dated: August 21st, 2015
New York, New York

/s/ STUART M. BERNSTEIN

HONORABLE STUART M. BERNSTEIN